K

1950.

File No. Pay II/50

Legal DEPARTMENT

C BRANCH

Subject:— Correspondence relating to pay and allied matters regarding Legal Deptt.

P File 2615

P=3-11-

B

(For previous papers pl. see part I.

File No. Pay II/50 Pt. II

Std. Sectt. Slip 24 B e.

63-C II

C O N T E N T S.

Legal Department File No. Pay II/80 Pt II

Sr. No.	Compilation No.	Subject	Pages.
1.	Papers reg. fixation of pay of Shri Rege-		1-11.
2.	L.D. Letter No. 14844. dated 26-10-56.	Re-fixation of pay of Shri D.J.Pathare.	13-15.
3.	Papers reg. fixation of Pay of Shri O.D. Melle.		49-55.
4.	Pay fixation of Shri G.S. Joshi.		57-59.
5.	Pay fixation of Shri M.K. Joshi.		61-76.
6.	F.D. Cir. 8255/33 dated 21-11-50	Pay Drawal of for the period of absence from duty.	83-84. [85-86 Not copied]
7.	F.D. Cir. 7573/33 dated 31-10-50	Government Servants on deputation Fixation of Pay of on reversion.	87-90 (93-96 Not copied)

EVY.10/5.

L.D. 7023-22/4.

Submitted.

While returning the first batch of service books duly checked, the A.G., Bombay has made remarks on some of the following cases:-

1. Shri N.P. Rege.

a) Fixation of pay is in order.

b) The date of next increment raising the pay to Rs. 240/- p.m. as offg. Gr. Asstt. should be 11-3-47 instead of 6-3-47.

As regards (b) above it may be stated that Shri Rege officiated as Jr. Asstt. during the period from 8-10-46 to 10-10-46 and this period was counted towards increment through oversight. The correct date of increment as shown by the A.G. is therefore 11-3-47. The date of increment ~~xx~~ may be corrected in the service book and future increments regulated. The ammount of pay and allowances paid in excess may be recovered from Shri Rege and credit pointed out to the A.G. The service book duly corrected may be sent to the A.G. with the above reply. A certificate for the period 1-11-46 to 23-11-46 when Shri Rege officiated in the higher post as Jr. Supdt. may be furnished to the A.G.

2) Shri D.J. Pathare.

a) Fixation of pay is in order.

b) Statement in form II called for if Shri Pathare elected the prescribed scale before 31-12-48 so far as his pay in the permanent post as clerk is concerned in the office of the Prothonotary and Senior Master High Court, Bombay.

As regards (b) above, a copy of the A.G.'s remarks may be supplied to the Prothonotary and ~~Sr~~ Senior Master, High Court, Bombay and he may be requested to state whether Shri Pathare elected the prescribed scale so far as his pay in the permanent post as clerk is concerned and if so to furnish the requisite statement in form II for being sent to the A.G., Bombay. The A.G., Bombay may be informed that

necessary information is being collected from the prothonotary and Senior Master, High Court, Bombay, and the same will be furnished separately as soon as it is received.

3) Shri A.G. Shitole.

a) Final decision as regards fixation of pay to be communicated.

As regards the above, the A.G., Bombay, may be informed that a decision has recently been taken and Shri Shitole's pay has been fixed under the B.C.S. (R. of P.) Rules, 1948. The service Book may again b be forwarded to the A.G., Bombay for verification after changing the entries with attestation thereon.

4) Shri L.D. Rath.

i) Pre 1931 entrant. Declaration electing the prescribed scale to be pasted in the service book.

ii) Fixation of pay with date of next increment as 5-1-47 is in order.

iii) A statement in form II showing fixations to be forwarded.

iv) Token No., date and amount of the supplementary bill in which arrears of pay and D.A. were drawn to be communicated.

As regards (i) (ii) and (iv) necessary declaration taken from Shri Rath may be pasted in his service Book. The A.G., Bombay may be informed of the action taken and he may be furnished with the requisite statement in form II. He may also be informed that the ammount of arrears of pay and D.A. were drawn on supplementary bill for Rs. 688-5-0 dated 26-6-48 and paid to Shri L.D. Rath

5) Shri G.B. Kulkarni.

i) Whether appointment as typist in L.D. from 1-1-44 is considered as a fresh appointment.

ii) Pay fixed on 1-1-47 as typist at Rs. 80/- raising the same to Rs. 85/- on 1-1-48 is not in order.

iii) A certificate as contemplated in F.D. circular No. 6567/33, dated 9-3-49 to be forwarded to admit fixation of pay as stenographer in an officiating capacity.

iv) Fixation of pay will be effective from 6-1-47 as Shri Kulkarni was on leave from 30-11-46 to 5-1-47.

v) How the next increment as stenographer on 21-6-47 has been arrived,. As regards (i) the presumption is correct.

As regards ii) above, it may be stated that ordinarily under rule 8(1) of the B.C.S. (R. of P.) Rules, 1948, his pay at Rs. 75/- should have been fixed but owing to certain anomelous position namely that his junior whose next increment falls in the month of February, Shri Kulkarni's pay was fixed at Rs. 80/- on 1-1-47 under rule 9 of the B.C.S. (R. of P.) Rules 1948.

(iii) above. Necessary requisite certificate may be forwarded to the A.G., Bombay.

(iv) above. It may be stated that the fixation was made effective from 6-1-47 and not from 1-1-47 as will be seen from the remarks in the service Book.

(v) above. Shri Kulkarni was frist appointed to officiate as stenographer on 15-5-46 and officiated continuously. He completed his officiating 12 months' period on 14-5-47 but as he was on leave from 30-11-46 to 5-1-47 his next increment as stenographer was fixed on 21-6-47.

Shri M.A. Sonalkar.

(1) Fixation at Rs. 100/- as clerk on 1-1-47 is correct

(2) Advancing of date of increment to 1-1-47 is not correct if his Jr. got increment on 1-1-47. This is to be reconsidered and as per table shown the payments to be reviewed and amounts paid in excess recovered furnishing a statement showing full details of the recovery.

(3) The case of the Jr. getting increment on 1-1-47 and with reference to which Shri Sonalkar's increment advanced

to be sent for checking the fixation.

(4) A seniority list of persons as on 1-1-47 duly approved by the competent authority to be sent.

(5) Pay in the officiating appointment as Jr. Assistant is also to be fixed and a statement in form II showing the fixation to be sent.

(6) Date of increment, Viz. 21-12-47 as offg. Jr. Asstt. does not appear to be correct as Shri Senalkar was holding the post in the officiating capacity only on 1-1-47 and reverted to his substantive post on several occassion thereafter. ~~xxxxx~~ Pay to be fixed on reappointment as offig. Jr. Asstt. under the normal rules and not under B.C.S. (R. of P.) Rules, 1948 as service rendered in a different stage ~~of~~ of a different time scale prior to 1-1-47 does not count for increment under the normal rules. Date of next increment to be recalculated under intimation in view of the above remarks and amount paid in excess to be recovered.

(2) Above:- It may be stated that on 1-1-1947 the pay in the existing scale of Rs. 80-3-95-5-160 of Shri Senalkar was Rs. 83/- and that of his Junior namely Shri N.N. Naik was Rs. 80/-. The dates of increments in these cases were 8-7-47 and 6-4-47 respectively. In both the cases the pay was fixed at Rs. 100/- under rule 8(4) of the B.C.S. (R. of P.) Rules, 1948. In view of this Shri Senalkar was in an unfavourable position as compared with his Junior so much so that the Junior gets Rs. 105/- on 6-4-47, i.e., earlier than Shri Senalkar who gets Rs. 105/- on 8-7-47. This was an anomalous position and in order to remove the same the date of increment of Shri Senalkar was advanced to 1-1-47 fixing his pay at Rs. 105/- on that date instead of advancing the same to 6-4-47. This was done as a result of the operation of Rule 9 of the B.C.S. (R. of P.) Rules, 1948 prior to the issue of F.D., G.R. No. 6567/33, dated 13-10-1948. The case is covered by the F.D. G.R. referred

te above and in addordance with which Shri Senalkar's pay would be fixed at Rs. 100/- on 1-1-47 fixing the date of the next increment on 6-4-47 thus raising his pay to Rs. 105/- from that date. °In view of this the fixation of pay in his case would be as follows:-

1-1-47	Rs.	100/-
6-4-47	Rs.	105/-
6-4-48	Rs.	110/-
6-4-49	Rs.	115/-
6-4-50	Rs.	120/-

In the light of the above refixation the amounts paid in excess may be recovered under intimation to the A.G. by furnishing the requisite statement.

(3) and (4) The case of the Jr., i.e., the service Book together with seniority list may be sent to the A.G., Bombay.

(5) above: Requisite Statement II showing fixation of pay as officiating J.A may be sent to Accountant General, Bombay

(6) above: It is said that service rendered at a different stage of a different times-scale prior to 1-1-47 does not count for increment under the normal rules. In this connection it may be pointed out that ~~xx~~ before Shri Senalkar's effg. increment as Jr. Asst. was sanctioned the period covering 12 months effg. service prior to 1-1-47 was counted and got in verified by the Accountant General, Bombay without raising any objection on the point. (Vide A.G's letter No. DAII Presy/ 29-c/1145 dated 28-5-48). This is not a solitary instance but there are instances of similar nature in the Department in which the A.G. verified the effg. period prior to 1-1-47. To quote one, Shri Rege who officiated as Sr. Asstt. from 25-10-45 was allowed to count the period prior to 1-1-47. On this analogy Shri Senalkar's case falls in line with that of Shri Rege. It is not therefore, clear why the principle followed in one case does not apply in another case of similar type. Since this Department got the approval of Accountant General at the time of sanctioning Shri Senalkar's increment as effg.

Jr. Asst. there seems to be no reason why it would detract from the course once followed. If the Accountant General agrees with this view the question of recalculating the period of date of next increment as officiating Jr. Asst. may be ruled out and the original date viz. 21-12-47 may xx stand.

Shrimati S. Benjamin.

(1) Authority under which the previous services as effg. Sr. Asstt. has been allowed to count towards increments may be stated to enable to admit ~~the~~ the fixation of pay on 15-1-48 in the Legal Deptt.

(2) Fresh entry as regards date of increment may b be made as there is ever writing to that effect.

(3) Period of leave may be inked out in the service sheet.

(1) above:- As regards the authority it may be stated that in accordance with the procedure laid down in G.C.F.D. No. 6567/33, dated 2-6-48 the pay of Shrimati who was transferred from C.P. Cr. Branch II has been refixed on 15-1-48 after taking into consideration here previous services as effg. Gr. Asstt. in other offices e.g. office under the control of C.S.D.

(2) above:- Fresh entry may be made as regards the date of increments.

(3) Period of leave may be inked out whereever necessary.

Shri J.J.Bera. Statement in form II regarding fixation of pay as Jr. Asstt. and Sr. Asstt. and also statement showing details of supplementary claim from Jan47 to Jan 48 is required to be sent to enable to verify the correctness of the adjustment made.

(2) An amount of Rs. 10/- paid as interim relief for Jan. 47 to be recovered after verification as the same was not adjusted in the bill for arrears drawn.

(1) above:- Requisite statements may be forwarded to the A.G.

~~(2) above:- It~~

(2) above:- It has been verified from the bill on which the claim was made an found that it escaped notice to adjust the amount of Rs. 10/- being the amount of ad the interim relief from the difference of pay for Jan. 47. Necessary recovery may be now made separately from Shri Bera and credit pointed out to the A. G.

Shri P.S. Wadkarni.

Shri D.L.Bidaye.

Shri M.R. Pereria.

(a) Pay fixation form required to be sent and it may be sent to the A.G. Bombay in respect of the above members.

Shri K.N.A.N. Iyer.

(a) Pay fixation form to be sent if the question of pay fixation is decided.

Since the fixation question has been decided, requisite form may be sent to the A.G. Bombay.

Shri S.V. Deshpande.

Period which is taken as service in the corresponding scale for fixing pay at Rs. 170/- as Jr. Asstt. on the basis of permanent pay of Rs. 150/- p.m. to be stated to check the correctness of pay fixed.

As-regards the above, it may be stated that Shri Deshpande was all along offg. either as Sr. Asstt. or as Jr. Asstt., from 1-11-45 to 31-12-46 except for the period from 30-11-46 to 14-12-46 during which he was reverted as Record Keeper. The period of one year and 18 days was taken as service in the corresponding scale.

Rdl- 20/7 Supdt.

Shri N.P. Rege.

Fixation of pay at Rs. 225/- on 1-1-47 is correct.

The next increment should fall due on 11-3-47 and not on 6-3-47, necessary refund will be effected as pointed out by A.G.

Shri Rege was officiating as Junior Supdt. from 1-11-46 to 23-11-46. Certified that had he not been appointed to officiate as Junior Supdt. he would have continued to officiate as S.A.

Shri D.J. Pathare.

Pay fixation as Junior Supdt. in this Department at Rs. 360/= p.m. on 1-1-47 with the date of next increment on 27-4-47 is correct.

As regards para 2 a copy of the same may be forwarded to the Prothonotary and Senior Master High Court, Bombay with a request to furnish the same through this Department.

Shri A.G. Shitole.

The A.G. may be informed that Shri Shitole's pay has recently been fixed and a bill drawing his pay in the revised scale is being sent separately.

Shri L.D.Rath.

(i) Necessary declaration has been obtained and it will be pasted in his service book. The presumption made by A.G. that he elected the prescribed scale in time is correct.

(ii) Fixation of pay with the date of next increment as 5-1-47 is in order.

(iii) Form II showing fixation of pay may be supplied as the original is not with A.G.

(iv) Shri Rath's arrears of pay and D.A. were drawn on supplementary bill for Rs. 688-5-0 dated 26-6-48.

Shri G.B. Kulkarni.

(i) The presumption made is correct.

(ii) The pay was fixed at Rs. 80 on 1-1-47 as his junior was getting more on fixation under Rule 9 of the B. C. S. R. (R. of P.) Rules.

(iii) Necessary certificates laid down in F.D. Circular Memo. No. 6567/33 dated 9-3-49 to the effect that Shri Kulkarni would have continued to officiate as stenographer had he not proceeded on leave and he would have been entitled to his officiating pay as stenographer if he were on duty on 1-1-47 may be given.

(iv) Shri Kulkarni was officiating as Stenographer since 15-5-46 and would have completed one years service on 14-5-47 but he was on leave from 30-11-46 to 5-1-47 thus postponing his increment from 15-5-47 to 21-6-47.

Shri M.A. Senalkar.

It may be stated that on 1-1-1947 the pay in the existing scale of Rs. 50-3-95-5-160 of Shri Senalkar was Rs. 83/- and that of his Junior namely Shri N.N. Naik was Rs. 80/-. The dates of increments in these cases were 8-7-47 and 6-4-47 respectively. In both the cases the pay was fixed at Rs. 100/- under rule 8(4) of the B. C. S. (R. of P.) Rules, 1948. In view of this Shri Senalkar was in an unfavourable position as compared with his Junior so much so that the Junior gets Rs. 105/ on 6-4-47, e.e. earlier than Shri Senalkar who gets Rs. 105/- on 8-7-47. This was an anomaleus position and in order to remove the same the date of increment of Shri Senalkar was advanced to 1-1-47 fixing his pay at Rs. 105/- on that date instead of advancing the same to 6-4-47. This was done as a result of the operation of Rule 9 of the B.C.S. (R.of P.) Rules, 1948 prior to the issue of F.D., G.R. No. 6567/33, dated 13-10-1948. The case is covered by the G.R. F.D. referred to above and in accordancw with which Shri Senalkar's pay would be fixed at Rs. 100/- on 1-1-47 fixing the date of next increment on 6-4-47 thus raising his pay to Rs. 105/- from that date. In view of this the fixation of pay in his case would be as follows:-

1-1-47	Rs. 100/-
6-4-47	Rs. 105/-
6-4-48	110/-Rs.
6-4-49	Rs. 115/-
6-4-50	Rs. 120/-

In the light of the above refixation the amounts paid in excess may be recovered under intimation to the A.G. by furnishing the requisite statement.

The case of the Jr. i.e., the service-book together with seniority list may be sent to the A.G., Bombay.

Requisite statement II showing fixation of pay as officiating J.A. may be sent to Accountant General, Bombay,.

It is said that service rendered at a different stage of a different times-scale prior to 1-1-47 does not count for increment under the normal rules. In this connection it may

be pointed out that before Shri Sonalkar's offg. increment as Jr. Asstt. was sanctioned, the period covering 12 months offg. service prior to 1-1-47 was counted and got verifidd by the Accountant General, Bombay without raising any objection on the point. (vide A. G's letter No. D.A.II Presy F.29-C/1145 dated 28-5-48). This is not a solitary instance but there are instances of similar nature in the Department in which the A.G. verified the Offg. period prior to 1-1-47. To quote one Shri Rege who officiated as Sr. Asst. from 25-10-45 was allowed to count the period prior to 1-1-47. On this analogy Shri Sonalkar's case falls in line with that of Shri Rege. It is not therefore, clear why the principle followed in one case does not apply in another case of similar type. Since this Department got the approval of Accountant General at the time of sanctioning Shri Sonalkar's increment as offg. Jr. Asst. there seems to be no reason why it would detract from the course once followed. If the Accountant General agrees with this view the question of recalculating the period of date of next increment as officiating Jr. Asstt. may be ruled out and the original date viz. 21-12-47 may stand.

Shrimati S.Benjamin.

1. Pay fixed at Rs. 210/- on 1-1-47 as S.A. and date of next increment as 15-6-47 are in order.

2. Pay of Shrimati Benjamin fixed as per G.C. F.D. No. 6567/33 dated 2-6-48 after taking into consideration the service put in another offices.

3. The date of increment is 15-6-48 not 16-6-48 and the necessary entry has been made in the service sheet.

4. The entries re-leave have been inked out.

Shri J.I. Bora.

Copy of Form II may be sent to A.G. as the original is not with him.

The necessary statement re supplementary claim may be sent and Rs. 10/- drawn excess on account of interim relief may be recovered.

Shri P.S. Nadkarni.

Form II may be sent.

Shri D.L. Bidaye.

Form II may be sent.

Shri M.R. Periera.

Form II may be sent.

Shri K.R.A.N.Iyer.

Pay since fixed and arrears drawn and form II sent.

Shri S.V. Deshpande.

Permanent holder of the post of a clerk drawing pay at Rs. 142/- with effect from 28-11-46. He was all along officiating since 1945 as Junior Assistant and while officiating as Junior Assistant his pay was fixed in relation to his pay in lower division. Hence for fixation of his pay as Junior Assistant the completed years of service in the corresponding scale could not be taken into consideration and his pay was fixed at Rs. 170/- i.e. Rs. 150/- pay plus Rs.10/ interim relief i.e. Rs. 160/- next stage Rs. 170/-.

Idl- J.D.
A-A.S. 3/9
EVY. 10/6.

Action as proposed above may be taken and A.G. informed accordingly.

Idl E.P.B
11/10.

C Branch.

No. 14844.
Legal Department,
Bombay Castle (Bombay No.1), 26th Oct.50

To

The Prothonotary and Senior Master,
High Court, Bombay.

Sir,

I am directed to forwarded herewith a copy of extract from the Accountant General's Audit Memo No. T.A./Presy/2228, dated the 19th April 1950 regarding fixation of pay of Shri D.J.Pathare under the Revision of Pay Rules, 1948, and to request you to be so good as to furnish the requisite information to the Accountant General, Bombay through this Department.

Yours faithfully,

Sd/- C.P.B.

Assistant Secretary to Government,
Legal Department.

EVY. 10/5.

Extract copy from the audit Memo No. T.A./Presy/ 2228, dated 19-4-1950 received from the Accountant General, Bombay.

Mr. D.J. Pathare.

2. It is presumed that he has elected the prescribed scale before 31-12-1948 so far as his pay in the permanent post is concerned. If so a statement in Form II showing fixation of pay in respect of his post of clerk in the office of the Prothonotary and Senior Master, High Court, Bombay may please be furnished to enable this office to check the same. Attention in this connection is invited to rule 8 of the Bombay Civil Service (R of P.) Rules, 1948.

EVY. 10/ 5.

Accountant General's Office, Bombay,
Test Audit Section,(Fixation of Pay).

No. TA/Pay/2228 19-4-50.

No. 17469
Legal Department,
Bombay Castle, 9th December 1950.

To

The Asstt. Secretary to
Government, Legal Deptt.,
Bombay.

Audit Memo.

Mr. N.P.Rege:-

Officiating pay as Sr. Asstt.

fixed @ Rs. 225/- P.M. on 1-1-47 is in order. Please verify whether the date of next increment raising his pay to Rs. 240/- P.M. should not be 11-3-47 instead of 6-3-47 as detailed below : It is presumed that a certificate as required by B.C.S.R. 50(C) was furnished for the period 1-11-46 to 23-11-46 when he officiated in the higher post of Jr. Supdt. If not the same may kindly be furnished now.

	Y. M. D.
25-10-45 to 25-5-46	0- 7- 1
11-10-46 to 10-3-47	0- 4-29
	1- 0- 0

Date of next increment 11-3-47 or state how the date of next increment has been worked out as 6-3-47. Presumably the period from 5-10-46 to 10-10-46 has been counted towards increment. If he has officiated as Sr. Asstt. during that period necessary correction may please be made in the service-book. If the correct date of increment is 11-3-47, the date may be corrected future increments regulated and amounts of pay and allowances paid in excess recovered. The Service-Book may be returned with the reply.

Returned with compliments.

(1) The next increment should fall due on 11-3-47 and not on 6-3-47. Necessary refund will be affected as pointed out. Necessary correction has been carried out in the Service Book. Shri Rege was officiating as Junior Superintendent from 1-11-46 to 23-11-46. Certified that had he not been appointed to officiate as Junior Superintendent he would have continued to officiate as Senior Assistant.

Mr. D.J. Patharai-

Pay fixed in respect of temp. post of Jr. Supdt. @ Rs. 360/- P.M. on 1-1-47 with date of next increment as 27-4-47 is in order.

2. It is presumed that he has elected the prescribed scale before 31-12-48 so far as his pay in the permanent post is concerned. If so a statement in Form II showing fixation of pay in respect of his post of clerk in the office of the Prothonotary and Sr. Master High Court, Bombay, may please be furnished to enable this office to check the same. Attention in this connection is invited to rule 8 of the B.C.S. (R. of P.) Rules 1948.

As regards para 2, a copy of its extract has been forwarded to the Prothonotary and Senior Master for compliance.

Mr. A.G. Shitole:-

There is a remark in his Service-Book to the effect. "Fixation of pay under the Revised pay Rules 47 is under consideration" Final decision in the matter may please be communicated to this office. It is presumed that pay has not yet been fixed under the B. C. S. (R. of P.) Rules 1948. Please confirm.

Shri Shitole's pay has been fixed recently and a bill drawing his pay in the revised scale is being sent separately.

Mr. L.D. Rathi-

i) He is a pre-1931 entrant. Declaration obtained from him electing the prescribed scale may please be posted in the Service Book. It is presumed that he elected the prescribed scale in time.

Necessary declaration has been obtained from him and pasted in the service book. The presumption made by the A. G. Bombay that he elected the prescribed scale in time is correct.

ii) Pay fixed @ Rs. 172/- P.M. on 1-1-47 with date of next increment as 5-1-47 is in order.

iii) A statement in Form II showing fixation of pay may please be furnished for record in this office as the same does not appear to have been received.

Form II showing fixation is sent herewith.

iv) The token No. date and amount of the supplementary bill in which arrears of pay and D.A. were drawn may please be stated to enable this office to check the same.

Shri Rath's arrears of pay and D.A. were drawn on supplementary bill for Rs. 688-5-0 dated 26-6-48.

Mr. G.B. Kulkarni.

It is presumed that his appointment as typist in legal Department from 1-2-44 is considered as a fresh appointment. Please confirm.

1) The presumption made is correct.

ii) His pay on 1-1-47 in the existing scale was Rs. 59/-. Hence under rule 8(1) of the B.C.S. (R. of P.) Rules 1948 his pay would be fixed @ Rs. 75/- p.m. on 1-1-47 in the prescribed scale and his date of next increment would be 1-1-48 raising his pay to Rs. 80/- p.m. under rule of the revision of pay rules. Please verify and intimate acceptance. Pay fixed @ Rs. 80/- p.m. on 1-1-47 with date of next increment on 1-1-48 raising the pay to Rs. 85/- p.m. as shown in columns 7 & 8 of Form II respectively is not in order.

ii) The pay was fixed at Rs.80 on 1-1-47 as his junior was getting more on fixation under rule 9 of the B.C.S (R. of P.) Rules.

iii) To enable this office to admit fixation of his pay as stenographer under the B.C.S. (R. of P.) Rules, 1948 a certificate as contemplated in Finance Deptt. Circular No. 6567/33 dated 9-3-49 may kindly be forwarded to this office if not already done as he held the post of stenographer in an officiating capacity only and and was on leave from 30-11-46 to 5-1-47. The fixation of pay

iii) Certified that Shri Kulkarni would have continued to officiate as Stenographer had he not proceeded on leave and he would have been entitled to his officiating pay as Stenographer if he were on duty on 1-1-1947.

iv) Shri Kulkarni was officiating as Stenographer since 15-5-1946 and would have completed one year's service on 14-5-47 but he was on leave from 30-11-46 to 5-1-47 thus postponing his increment from 15-5-47 to 21-6-47.

under the revision rules will be effective from 6-1-47.

It may kindly be stated how his next increment as Stenographer fixed on 21-6-47 has been arrived.

Mr. M.A. Sonalkar.

Pay fixed @ Rs. 100/- p.m. on 1-1-47 in his substantive post of clerk is correct. It is, however, observed from the entries in the Service-Book and Form II statement that his increment was advanced to 1-1-47 presumably under orders in G.R.F.D. No. 6567/33 dated 13-10-48 and he was allowed pay @ Rs. 105/- p.m. from 1-1-47 and not Rs. 150/- p.m. as shown in Form II. This is not correct in view of the fact that if his Jr. got his increment on 1-1-47 the increased pay becomes his "present pay" for purposes of fixation of his pay under the B.C.S. (R. of P.) Rules, 1948x and he (th Jr.) would get his next increment on 1-1-48. The question of advancing the date of increment of Mr. Sonalkar would not therefore arise and he would get increment of Mr. on the due date with reference to rule 9 of the revision rules. The orders in Government Resolution Finance Deptt. No. 6567/33 dated 13-10-48 would have no application in the case. The fixation of his pay @ Rs. 105/- p.m. may therefore kindly be reconsidered.

In accordance with the above view Mr. Sonalkar's pay would be fixed as under the B.C.S. (R. of P.) Rules, 1948:-

1-1-47	Rs. 100/-
~~8-7-47~~	Rs. 105/-
8-7-48	Rs. 110/-
8-7-49	Rs. 115/-

and so on. The payments already made may please be reviewed in the light of above remarks and and amounts paid in excess recovered furnishing a statement shewing full details of the recovery. The case of the Junior who got his increment on 1-1-47 and with reference to which Mr. Sonalkar's increment has been advanced may please be sent to this office early for checking the fixation of his pay.

On 1-1-1947 the pay in the existing scale of Rs. 80-3-95-5-160 of Shri Sonalkar was Rs. 83/- and that of his junior namely Shri N.N. Naik was Rs. 80/-. The dates of increments in these cases were 8-7-47 and 6-4-47 respectively. In both the cases the pay was fixed at Rs. 100/- under the rule 8(4) of the B.C.S. (R.of P.) Rules 1948. In view of this Shri Sonalkar was in an unfavourable position as compared with his Junior so much so that the Junior gets Rs. 105/- on 6-4-47 i.e. earlier than Shri Sonalkar who gets Rs. 105/- on 8-7-47. This was an anomalous position and in order to remove the same the date of increment of Shri Sonalkar was advanced to 1-1-47 fixing his pay at Rs. 105/- on that date instead of advancing the same of the operation of Rule 9 of the B.C.S. (R. of P.) Rules, 1948 prior to the issue of F.D.G.R. No. 6567/33, dated 13-10-1948. The case is covered by the G.R.F.D. referred to above and in accordance with which Shri Sonalkar's pay would be fixed at Rs. 100/- on 1-1-47 on 6-4-47 thus raising his pay to Rs. 105/- from that date. In view of this the fixation of pay in his case would be as follows:-

1-1-47	Rs. 100/-
6-4-47	Rs. 105/-
6-4-48	Rs. 110/-
6-4-49	Rs. 115/-
6-4-50	Rs. 120/-

In the light of the above re-fixation the amount paid in excess will be recovered and refunded under intimation to the A.G. Bombay by furnishing the requisit statement.

The case of the Jr. i.e. the service book together with seniority lis is sent herewith.

Requisite statement II showing fixation of pay as Offg. J.A. is sent herewith.

It is said that service rendered at a different stage of a different times-scale prior to 1-1-47 does not count for increment under the normal rules. In this connection it may be pointed out that before Shri Sonalkar's Offg. increment as Jr. Asst. was sanctioned, the period covering 12 months' offg. service prior to 1-1-47 was counted and got verified by the Accountant General, Bombay, without raising any objection

A seniority list of persons as on 1-1-47 duly approved by the competent authority may please be sent to this office. In this connection kindly refer to this office General letter No. 18 (TM-28-A/3042) dated 7th Feb. 1950.

He was officiating as Jr. Asstt. on 1-1-47 and his pay in the officiating ~~xx~~ appointment is also to be fixed under the revision rules vide rule 8. A statement in From II showing the fixation of his pay as Jr. Asstt. may please be sent.

It is observed from the entries in the Service-Book that he was allowed an increment in the post of Jr. Asstt. with effect from 21-12-47 raising his pay to Rs. 130/- p.m. As he was holding the post in an officiating ~~m~~ capacity only on 1-1-47 and reverted to his substantive appointment on several occasions thereafter before earing an increment as Jr. Asstt. in the prescribed scale the date of his increment viz. 21-12-47 does not appear to be correct. On re-appointment to the post of Jr. Asstt. his pay and date of next increment are to be fixed under the normal rules and not under the B&C.S. (R. of P.) Rules, 1948. Service rendered at a different stage of a different time-scale prior to 1-1-47 does not count for increment under the normal rules.

The date of next increment may please be re-calculated in view of the above remarks and intimated to this office for verification. The amount paid in excess may have to be recovered on this account also.

Mrs. S. Benjamini-

i) Pay fixed at Rs. 210/- p.m. on 1-1-47 as Sr. Asstt. and date of next increment as 15-6-48 are in order.

ii) From the entries in her service sheet it is observed that she joined as Jr. Asstt. in the office of the Provincial Textile Controller and had served as follows before her transfer to legal Deptt. from 15-1-48.

Office.	Period.
1. Office of the Provincial Textile Controller-Jr. Asstt.	13-10-44 to 23-10-44.

On the point. (vide A.G's letter No. D.A.II Presy. F. 29-C/1145 dated 28-5-48). This is not a solitary instance but there are instances of similar nature in the Department in which the A.G. verified the Offg. period prior to 1-1-47. To quote, one Shri Rege who officiated as Sr. Asstt. from 25-10-45 was allowed to count the period, prior to 1-1-47. On this analogy Shri Senalkar's case falls in lines with that of Shri Rege. It is not therefore, clear why the principle followed in one case does not apply in another case of similar type. Since this Department get the approval of Accountant General at the time of sanctioning Shri Senalkar's increment as offg. Jr. Asst. there seems to be no reason why it would detract from the course once followed. If the Accountant General agrees with this view ~~of matter~~ of date of next increment as officiating Jr. Asst. may be ruled out and the original date viz. 21-12-47 may stand.

2. Pay of ~~Shrimathi~~ Shrimati Benamin was fixed as per G.C.F.D. No. 6567/33 dated 2-6-48 after taking into consideration the service put in other offices.

3. The date of increment is 15-6-48 and not 16-6-48 and the necessary entry has been made in the service sheet.

4. The entries regarding leave have been inked out.

2) Office of the Addl. D.C.S. (Enforcement)

Jr. Asstt. 24-10-44 to 3-6-46.

Promoted Sr. Asstt. 4-6-46 to 14-8.47.

3) Office of the D.C.P. C. B. III

Sr. Asstt. 15-8-47 to 14-1-48.

Transferred to R.L.A. Legal Deptt. Secretariat, Bombay from 15-1-48 Her pay in the legal Deptt. has been fixed @ Rs. 225/- p.m. on 15-1-48. It, therefore, appears that h her pay in the legal Deptt. has been fixed with reference to previous service rendered in other offices and Deptts. ~~The authority under which the previous service rendered in other offices and Deptts.~~ The authority under which the previous service has been allowed may kindly be stated to enable this office to admit the fixation of pay on 15-1-48 in the legal Deptt.

iii) It may please be stated whether the date of increment in the legal Deptt. has been changed from 15-6-48 to 16-6-48. A fresh entry may please be made to indicate the correct date and no overwriting need he made.

iv) The periods of leave availed of in 1948 may kindly be inked out in the Service sheet.

Appendix below containing remarks on cases reviewed.

Sd/- ... Jog.
Assistant Accounts Officer
(Special Duty).

Appendix.

Mr. J.I. Borai-

From the note in Service-Book it is seen that his pay on 1-1-47 is fixed at Rs. 150/- p.m. and Rs. 240/- P.M. respectively as Jr. Asstt. and Sr. Asstt. Pay fixation statement in Form II does not appear to have been received in this office. In case it was sent before a copy may please be sent. A referance is invited to para 2 of the General letter No. 56 (TM/2179) dated 6-3-48. A statement showing the details of the supplementary claim for January 47 to January 48 may also be sent. It is necessary to enable this office to verify whether adjustment have been made correctly. A reference in this

Fresh

2./ Form II is sent herewith

3. Necessary statement reg. supplemnetary claim is sent. Rs. 10/- drawn in excess on account of interim relief will be recevered and refunded under intimation to the A.G. Bombay.

connection is invited to paras 3 and 4 of Governmxxxx -ment Resolution F.D. No. 6567/33-II dated 15-1-48. Bill for Rs. 3663-14-0 for January 47 to January 48. Token No. 2612 dated 27-3-48.

It is observed that he was paid difference of pay for January 47 as Rs. 35/- (Rs. 240/- Rs. 205/-) Please verify whether it should not have been Rs. 25/- (Rs. 240/- Rs. 205/- plus Rs. 10/-)xxxxxxxxxxxxxxxxxxxxxx xxxxxx unless the amount of Rs. 10/- paid as Interim Relief for January 47 was recovered separately. A sum of Rs. 10/- may please be recovered after verification.

Mr. P.S. Nadkarni:- Form II is sent herewith.

Pay fixation for may please be sent.

Mr. D.L. Bidaye:- Form II is sent herewith.

- Do -

Mr. M.R. Periera:- Form II is sent herewith.

- Do -

Mr. K.N.A.Narayana Iyer:- Pay since fixed and arrears drawn. Form II is sent herewith.

There is a note in his service-Book that the question pay fixation is under consideration. If the question is decided a pay fixation form m may please be sent for check.

Mr. S.V. Deshpande:-

It is observed that on 1-1-47 his officiating pay as Jr. Asstt. is fixed at Rs. 170/- p.m. on the basis of his permanent pay of Rs. 150/- p.m. x Please state the period which is taken as service in the corresponding scale for purposes of Rule 8. This information is necessary to check the correctness of pay fixed.

Permanent holder of the post of a clerk drawing pay at Rs. 142/- with effect from 28-11-46. He was all along officiating since 1945 as Junior Assistant xxx xxx and x while officiating as Junior Assistant his pay was fixed in relation to his pay in lower division. Hence for fixation of his pay as Junior Assistant the completed years of service in the corresponding scale could not be xix taken into consideration and his pay was fixed at Rs. 170/- i.e. Rs. 150/- pay plus Rs. 10/- interim relief i.e. Rs. 160/- next stagex Rs. 170/-

Sd/- ... Jog.
Assistant Accounts Officer,
(Special duty)

Sd/- S.P.B. 8/12/50.
Assistant Secretary to Government,
Legal Department.

EVY. 10/5.

FORM II.

Name.	Date of entry in Government service and whether pre-1931 entrant or post-1931 entrant.	(i) Prescribed Scale. (ii) Existing scale. (iii) Corresponding scale (iv) Completed years of service in the corresponding scale (v) Present pay.	Pay fixed under rule 8(a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the prescribed scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
Shri L.D. Rath	9-3-1925 Pre 1931 entrant.	(i) 75-5-140-EB-8-220 (ii) 60-4-100-EB-6-190 (iii) 50-3-95-100-5-100 (iv) 21 years. Rs. 160/-	8(1) Rs. 280/- 8(2) Rs. 188/-	Rs. 8(1) 188/- 8(2) 148/-	Rs. 172 8(1) 204 Rs. 204 8(2) 204/-	Rs. 172	5-1-47 Rs. 180/-	

FORM II.

Name.	Date of entry in Government service and whether pre-1931 entrant or post-1931 entrant.	i) Prescribed Scale. ii) Existing scale. iii) Corresponding scale iv) Completed years of service in the corresponding scale.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the prescribed x scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
Shri M.A. Sonalkar.	3-1-1936 post 1931 entrant.	i) Rs. 75-5-140-EB-8-220 ii) Rs. 50-3-95-EB-100-5-160. iii) Rs. 50-3-95-EB-100-5-160.	Rs. 110/-	Rs. 100/-	Rs. 130/-	Rs. 100/-	Rs. 105 6-4-1947	Vide G.R.P.I No. 6567/33 Dated 13-10-1948.

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FORM II.

Name.	Date of entry in Government service and whether pre-1931 entrant-or post-1931 entrant.	i) Prescribed Scale. ii) Existing scale. iii) Corresponding scale iv) Completed years of service in the corresponding scale. v) Present pay.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the Prescribed scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
Shri M.A. Sonalkar.	3-1-1936 Post 1931 entrant.	i) Rs. 120-10-250 ii) Rs. 100-10-200 iii) Rs. 100-10-200 on this days. iv) Rs. 0- 4- 24 v) Rs. 100/-	Rs. 120/-	Rs. 120/-	Rs. 120/-	Rs. 120/-	21-12-47	

EVY. 11/5.

13

FORM II.

Name.	Date of entry in Government service and whether pre-1931 entrant-or post-1931 entrant.	i) Prescribed Scale. ii) Existing Scale. iii) Corresponding scale. iv) Completed years of service in the corresponding scale. v) Present pay.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the prescribed scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
		I Jr. Assistant.				Rs.		
Shri J.J. Bora.	10-11-42 Post- 1931 entrant.	i) Rs. 120-10-250 ii) Rs. 100-10-200 iii) Rs. 100-10-200 iv) Nr 4 years. v) Rs. 140/-	Rs. 170/-	Rs. 170/-	Rs. 160/-	160/-	10-11-47 Rs. 170/-	Substantive.
		II Sr. Assistant.						
Shri J.J. Bora.	10-11-1942 Post 1931 entrant.	i) Rs. 210-15-300 ii) Rs. 175-15-280 iii) Rs. 175-15-280 iv) Rs. 2 Years. v) Rs. 205/-	Rs. 240/-	Rs. 240/-	Rs. 240/-	Rs. 240/-	31-3-47 Rs. 255/-	Officiating.

Name... Shri J.I. Bora.

Designation..... (1) Junior Assistant (Substantive) (2) Sr. Asstt. ~~fffx~~ (offg.) and (3)Jr. Supdt.(offg.)

Revised scale... (1) 120-10-250, (2) 210-15-300, (3) 320-20-440.

Payment for the month of	Pay Interim Relief already drawn.	Pay Admissible under Revised Rules.	Difference drawn	Dearness Allowance already drawn	Dearness allowance ~~xxxxxx~~ admissible refunded.	Difference now drawn or refunded	Remarks. Less Bonus.
1	2	3	4	5	6	7	8
1947 January	205. x 19 I.R.	240	25 *drawn (R.35/-)	36	50	14	Please see Temp. pay bill suppl. dt. 27-3-48
3) February	275	297-2)	22-2)	48	70	22	
3) 3rd to 28th		17-2)	17-2)				
2) 1st and 2nd March	275	320-0	45	48	70	22	*It should have been R. 25/8 not R. 35/- as already drawn on bill (suppl.) for temp. Estt dt. 27-3-48
April	119-2-)	138-11)	19-9)	21)	30-5)	22	
3)1st to 13th	155-13)	181-5)	25-8)	27)	39-11)		
3)14to 30th							
May							
3)	275	320-0	45	48	70	22	
June	18-8)	21-5	2-5	3	4	21	R. 10/- will be recovered and refunded under intimation to Accountant General, Bombay.
3) 1st & 2nd	11)	238-0	32-11	36	56		
2) 3rd to 30th	205-5)						
July							
2)	220	255	35	38	60	22	
August							
2)	220) 10)	255	25	45-3	60	14-13	
September							
2)	220	255	35	50	60	10-0	xPlease see permanent Estt. pay bill (Suppl. dt. March 48
October							
2)	220) 10)	255	25	50	60	10-0	
November							
2)	220) 10)	255	25	50	60	10-0	
December							
3) 16 to 31st	141-15)	165-3	23-4)	25-13	31	5-3	
2) 1 to 15th	106- 7)	123-6	16-15)	24- 3	29	4-13	
January							
3) 1 to 13	115-5)	134-3)	18-14)	21-0	25-3	4-3)	
14 to 31st	127-12)	148-1)	20-5)	29-0)	34-13	5-13)	
Total							

Total difference of pay
" " " Dearness Allowance paid refunded.

Total Net Payable.

EVY. 11/5.

FORM II.

Name	Date of entry in Government service and whether pre-1931 entrant-or post-1931 entrant.	i) Prescribed Scale. ii) Existing scale. iii) Corresponding scale. iv) Completed years of service in the corresponding scale. v) Present pay.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the Prescribed scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
Shri P.S. Nadkarni	3-1-34 Post- 1931 entrant	I Jr. Asstt. i) 120-10-200-10-250 ii) 100-10-200 iii) 100- 10-200 iv) 6 years. v) Rs. 160/-	Rs. 210/-	Rs. 190/-	Rs. 180/-	Rs. 180/-	2-11-47 Rs. 190/-	Substantive.
		II Sr. Asstt. i) 21-15-300 ii) 175-15-280 iii) 175-15-280 iv) 2 years. v) Rs. 205/-	Rs. 240/-	Rs. 240/-	Rs. 240	Rs. 240/-	27-2-47 Rs. 255/-	Officiating.
		III Jr. Supdt. i) 320-20-440 ii) 275-20-375-400-425 iii) 275-20-375-400-425 iv) 1 year. v) Rs. 295/-	Rs. 340/-	Rs. 340/-	Rs. 340/-	Rs. 340/-	18-4-47 Rs. 360/-	Officiating.

EVY. 11/5.

FORM - II.

Name	Date of entry in Government service and whether pre-1931 entrant or pst-1931 entrant.	i) Prescribed Scale. ii) Existing scale. iii) Corresponding scale. iv) Completed years of service in the corresponding scale. v) Present Pay.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the prescribed scale.	Date of Next increment & pay in the prescribed scale.	Remark
1	2	3	4	5	6	7	8	9
Shri D.L. Bidaye.	6-4-1926 Pre- 1931 entrant.	i) 75-5-140-EB-8-220 ii) 60-4-100-6-130-EB-6-190 iii) 50-3-95-100-5-160. iv) 20 years. v) Rs. 148/-	Rs. 8(1) 204/- 8(2) 172/-	Rs. 8(1) 172/- 8(2) 136/-	Rs. 188/- 188/-	Rs 164/-	19-3-1947 Rs. 172/-	

EVI. 11/6.

FORM II.

Name	Date of entry in Government service and whether pre-1931 entrant-or post-1931 entrant.	i) Prescribed Scale. ii) Existing Scale. iii) Corresponding Scale. iv) Completed years of service in the corresponding scale. v) Present pay.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the prescribed scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
Shri M.R. Periya.	16-1-1922 Pre-1931 entrant.	i) 75-5-140-EB-8-220 ii) 60-4-100-6-130-EB-6-190. iii) 50-3-95-EB-100-5-160. iv) 24 years. v) Rs. 184/-	Rs. 8(1) 220/- 8(2) 212/-	Rs. 8(1) 212/- 8(2) 172/-	Rs. 8(1) 220/- 8(2) 220/-	Rs. 196	5-3-1947 Rs. 204/-	

SVY. 11/5.

37.

FORM II.

Name	Date of entry in Government service and whether pre-1931 entrant-or post- 1931 entrant.	i) Prescribed Scale. ii) Existing scale. iii) Corresponding scale. iv) Completed years of service in the corresponding scale. v) Present pay.	Pay fixed under rule 8(a)	Pay fixed under rule 8(b)	Pay fixed under rule 8(c)	Pay in the prescribed scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
Shri K.N.A.N. Iyer.	1-11-1938 post 1931 entrant.	i) Rs. 75-5-140-EB-8-220 ii) Rs. 50-3-95-EB-100-5-160. iii) Rs. 50-3-95-EB-100-5-160. iv) 8 years. v) Rs. 100/-	Rs. 125/-	Rs. 12[illegible] Rs. 120/-	Rs. 115/-	Rs. 115/-	1-1-1947 Rs. 120/-	Shri Iyer was appointed on 1-11-1938 on higher starting salary at Rs. 74/- on technical grounds to meet the requirement of newly created Solicitor's branch in L. D.

Assistant Secretary to Government
Legal Department.

BVY. 11/5.

(General Dept.
(Spl. P.C. i.e.

No. P/2601

High Court of Judicature,
Original Side;

Bombay, 1st November 1950.

From

Shri. S.J. Rahimetoola, B.A.,LL.B., Barrister-at-Law,
Prothonotary and Senior Master,
High Court, Bombay,

To

The Assistant Secretary to the Government of Bombay
Legal Department.

Sir

With reference to your letter No. 14844 dated the 26th Octobeer 1950, I have the honour to forwarded herewith Form No. II showing fixation of pay in respect of the post of a clerk held by Shri D.J. Pathare in the office of the Prothonotary and Senior Master, High Court, Bombay, for being forwarded to the Accountant General, Bombay.

Yours faithfully,

Sd/-

For Prothonotary and Senior Master.

EVY. 11/5.

FORM II.

Name	Date of entry in Government service and whether pre-1931 entrant-or post-1931 entrant.	i) Prescribed Scale. ii) Existinng scale. iii) Corresponding scale iv) Completed years of service in the corresponding scale v) Present pay.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the pre-scribed scale.	Date of next in-crement & pay in the pres-cribed scale.	Remarks.
1.	2	3	4	5	6	7	8	9
Shri D.J. Pat-hare, LL.B.	21st November 1924 Pre. 1931 entrant	i) 75-5-140-8-220 ii) 50-3-95-5-160 iii) 60-4-100-3-160 iv) 22-1-11 v) Rs. 157.	Rs. 204/-	Rs. 204/- 172/-	Rs. 212/-	Rs. 172/-	Rs. 180/-	On deputation to the Ration-ing Office, Bombay. Vide A.G! lette No. 720 dated 18-5-49

Sd/-
For Prothonotary and Senior Master.

High Court, Original Side, Bombay, 31st October 1950.

EVY. 11/5.

Name	Date of entry in Government service and whether pre-1931 entrant-or post-1931 entrant.	i) Prescribed Scale. ii) Existinng scale. iii) Corresponding scale iv) Completed years of service in the corresponding scale v) Present pay.	Pay fixed under rule 8 (a)	Pay fixed	Date of
1.	2	3	4		

FORM II.

Name	Date of entry in Government service and whether pre-1931 entrant- or post- 1931 entrant.	i) Prescribed Scale. ii) Existing scale. iii) Corresponding scale. iv) Completed years of service in the corresponding scale. v) Present pay.	Pay fixed under rule 8 (a)	Pay fixed under rule 8 (b)	Pay fixed under rule 8 (c)	Pay in the prescribed scale.	Date of next increment & pay in the prescribed scale.	Remarks.
1	2	3	4	5	6	7	8	9
Shri D.J. Pathare LL.B.	21st November 1924 Pre. 1931 entrant.	i) 75-5-140-8-220. ii) 50-3-95-5-160. iii) 60-4-100-3-160. iv) 22-1-11 v) Rs. 157/-	Rs. 204	Rs. 172	Rs. 212	Rs. 172	Rs. 180/-	On deputation to the Rationing Office, Bombay. Vide. A.G! letter No. 720 dated 18-5-49.

Sd/-
for Prothonotary and Senior Master.

High Court, Original Side, Bombay, 31st October 1950.

EVY. 11/5

6

No. 17695

Legal Department,
Bombay Castle, (Bombay No. 1), 13th December 1950.

MEMORANDUM.

The undersigned presents compliments to the Accountant General Bombay and in continuation of this Department Memorandum No. 17469 dated the 9th December 1950, is directed to forwarded herewith a statement in form II showing the fixation of pay of Shri D.J. Pathare as clerk in the Office of the Prothonatory and Senior Master High Court, Bombay.

By order of the Governor

Sd/- E.P.B.

Assistant Secretary to the Government of Bombay, Legal Department.

To
The Accountant General,
Bombay.

EVI. 11/5.

Legal Deptt.

Submitted;

I joined service in the office of the Controller of Rationing asJr. Asstt. on a pay of Rs. 100/- p.m. from 8th August 1945. I served in that office from 8-8-1945 to 31-1-47. I was selected by the Bombay Public Service Commission, and was alloted to P.W.D. which Deptt. I joined on 1-2-47 as a Jr. Asstt. From P.W.D. I was transferred to L.D. on 19-5-48 I was shown as a reservist from 19-5-47 to 2-8-47. From 3-8-47 to & 31-8-47 I worked as a Jr. Asstt. From 1-9-47 to 3-12-47 I was again shown as a Reservist. From 4-12-47 to 6-12-49 I continuously worked as a Jr. Asstt.

From the above it will be seen that although I have worked as Jr. Asstt. for more than 2 years no increments have been sanctioned to me. I therefore, request that necessary order ~~on~~ of the Secretary may be taken and the arrears due to me be paid.

I may also point out that after I joined Legal Deptt., I proceeded on leave from 1-6-47 to 20-6-47 but leave salary was paid to me from 1-6-47 to 9-6-47 only. Since I was in continuous service from 8-8-45 I was entitled to more leave salary than was allowed to me.

Sd/- O. D'Mello
6th Sept. 50

Submitted. A.S.

C Branch to consider
Sd/- E 11/3/3.
6/9

The service in the office of the Controller of Rationing does not count for increments. Shrimati ~~Sd~~ D'Mello joined P.W.D. as a ~~S~~. J.A. from 1-2-1947 and was there upto 18-5-47. As the service was continuous, the service in the P.W.D. will count towards increment. So the increment can only be drawn after the P.W.D. ~~service is further~~

has fixed her pay and drawn the arrears. The P.W.D. may therefore in the first instance be requested U.O. to fix her pay and draw the arrears. The case may be treated as very urgent.

Sdt-N.J.Naik 13/9/50
Supdt. Idt-J.D. 14/9 A.A.S. Idl-E.P.B 7/9

~~U.O. to P.W.D. Mag with Servicesheet of Shrimati D'Mello, No. 13538 dated 25.9.1950.~~

U.O. to P.W.D. No 13538 d. 25/9/50. × with servicebook of Shrimati D'Mello.

EVY. 11/5.

L.D. 18538/7864.

HB II P. W. D.

Submitted.

2. Smt. O.D'melle was one of the P.S.C. candidates to this Asstt. in 1947. She joined her duties in this office on the 1st February 1947. Subsequently, she was transferred to the Legal Department with effect from the afternoon of the 18th May 1947.

3 The revision of pay scales came in force in Jany. 1948 with retrospective effect from the 1st Jany. 1947. According to the orders issued in Government Circular F.D. No. 6567/33 dated the 2nd August 1948, the pay of a Government servant, who was transferred from one office to another before re-fixation of pay is to be refixeded in the revised scales by the Officer on whose estabt. the particular Government servant was serving at the time of re-fixation of pay, Shrimati D'melle was accordingly on the estabt. of the Legal Deptt. at the time of refixation of pay in the revised scale so, herx pay is to be refixed and arrears are to be drawn by that Deptt., only.

4. During the period Shrimati D'melle was working in this Deptt., viz. from 1-2-47 to 18-5-47, She was paid at the following rates:-

Pay Rs. 100/- p.m.

Interim pay Rs. 10/- p.m.

Dearness allce. Rs, 26/- p.m.

Total Rs. 136/- p.m.

5. These papers may be returned to the Legal Deptt.

Rs/- 1/10/50 Xe/- 7/10/50.

UM. to L.D. dated 10-10-50.

EVY.11/5.

Legal Department.

R.I. No./8633/11-10-50

Submitted.

Kumari D'mellow has put in service as Officiating Junior Assistant & S.A. as shown in the accompanying statement. Her increments are due on 14-6-48, 14-6-49 and 14-7-50, respectively. Before sending the increment certificate to thex A.G., Bombay the P.W.D. may be requested to ~~xxxx~~ state vice whom she was acting in that Department and the amount and date of the bill by which herx pay was drawn. This information will be necessary for verification of the increment certificate by the A.G., Bombay. Various the case may be treatee as very urgent,

Sd/- N.N. Naik.
14-10-50 by the P.W.D.

Supdt. Sd/- P.D.
21/24/10.

A.A.S. Sd/- E.P.D.
24/10.

~~With Service Sheet.~~
~~M~~ U.R. to P.W.D. No. 14723 dated 24-10-50.

X with Servicesheet.

EB II P. W. D.

Submitted.

2. Kumari O. D' Melle was working as a Jr. Asstt. on Rs. 100/- p.m. in the scale of Rs. 100-5-120-EB-10-220 for the period from the/~~28th~~ 1st February to 18th May 1947 on the tempy. estabt. of this Deptt. Her pay has been drawn for the period in the regular monthly pay bills for the tempy. estabt. sanctioned for this office. The pay bills of the estabt. of this Deptt. are being audited in D.A. IX Section of the A.G's Office.

3 These papers may be returned to the Legal Deptt.

Sd/- 30/10/50. Sd/- 30/10/50.

Legal Dept. (will Service book of Kumari D'Melle).

LD.

Submitted.

These papers with the explanatory memorandum and the increment certificate may be forwarded u.o. to the A.G. Bombay for verification of the increment certificate

and return under Sub-rule 43 to Treasury Order

No. 16. The A.G. may be requested to treat the case

as very urgent.

Sd/- N.N. Naik. 2/11/50.

Supdt. S.D. 2/11.

A.A.S. Rd/- E.P.B. 2/11.

U.H. to A.G., No. 15319 dated 3-11-50 (With Service Sheet of Kumari D'Melle).

EVY. 11/5.

A.G.'s Office, Bombay.

Seen and returned with compliments to the Secretary to the Government of Bombay, Legal Department.

The increment certificate of Shrimati D'Mello raising herm officiating pay to Rs. 130/- from 14-6-48 has been verified and found to be correct.

The increment certificate raising herm officiating pay to Rs. 140/- and Rs. 150/- from 14-6-49 and 14-7-50 respectively is not required to be verified by this office as there is no break in her officiating service (leave period does not constitute a break vide sub-rule 43.)

The Service Roll and other papers are returned herewith receipt of which may please be acknowledged.

Sd/-
A.A.O.

U. O. R. to Government Legal Department.
No. DAI/Presy/29(L)/131. dated 27th November, 1950.

Submitted:

The A.G., Bombay has returned the increment certificate in respect of Kumari D'Mellow duly verified Accordingly she earned three increments on 14-6-48, 14-6-49 and 14-7-50 respectively. Her pay will be Rs. 130/- from 14-8-48, Rs. 140/- from 14-6-49, and Rs. 150/- from 14-7-50 after the increments are sanctioned to her.

Sd/-V.V.Naik
1/12
Supdt. Idl-J.P. 1/12 A.A.S. Idl-E.P.B. 1/12 D.S.(Cr.) Idl- 1/12
EVY. 11/5.
Secy. Idl-E.P.B. 1/12

Legal Department.

Submitted.

I was on leave for one month and 14 days from 14-2-1949 to 31-3-1949, out of which 31 days, viz. from 1-3-49 to 31-3-49 was treated as extra-ordinary leave without pay. Since I am now confirmed with retrospective effect, i.e. from 1-11-1947, I am entitled to earned leave at the rate of one month per eleven months duty period from that date. The extra-ordinary leave thus granted to me will now have to be converted into earned leave admissible to me at the rate mentioned above. I, therefore, request that necessary leave salary may be paid to me. I also request that my date of increment may be revised in view of my confirmation with retrospective effect and necessary arrears of increment paid to me.

The date of my increment falls on 1st March every year.

Tdl- G.S.J.
5/7

Submitted.

2. Shri G.S. Joshi was provisionally confirmed as Leave Reserve in this Dept: from 1-11-1947 and subsequently he was confirmed substantively as such from 1-5-1949 (vide G.M. L.D. No. 7587, dated 3-6-1950) He joined L.D. on 22-1-1945.

3 Since Shri Joshi's confirmation orders took retrospective effect i.e. from 1-11-1947, he becomes entitled to earn leave at 1/11 th of the period spent on duty from that date; but in view of the liberalization of leave rules by G.R.F.D. No. 6567/33, dated 28-4-1949, Shri Joshi is eligible for the leave terms at 1/21th from the date the joined this dept. Please see section II-9 of the G.R. ibid. The total period of earned leave when worked at 1/11th comes to 131 7/11 days on 14-2-49 the date on which he last proceeded

on leave.

4. From 14-2-1949 Shri Joshi was granted earned leave for 15 days plus 31 days extraordinary leave without pay from 1-3-49 to 31-4-49 as he had no leave on average pay left to his credit according to the leave then calculated at 1/22nd of the period spent on duty.

5. Now that he has been confirmed with retrospectively effect he is eligible for leave terms at 1/11th as laid down in G.R.F.D. No. 6567/33 dated 28-4-1949 and, therefore, after coverting the leave period he gets to his credit on 13-2-49 the balance of 77-7/11 days earned leave on average pay.

6. As regards the date of increment which was postponed, it will now remain unchanged for the reasons stated above. The date of increment which originally falls due on 1st March every year and which was postponed to 15th April, may now be refixed to 1st March and Shri Joshi may be paid difference of increment for the period the increment was postponed namely from 2-3-49 to 15-4-49 and from 1-3-50 to 15-4-50.

Pl. See Slip A

Idl- 7/10
Supdt.
EVY. 11/5.

As in paras 6 & 7 above
Idl- J.D.-
14/10

A.A.S. Action as proposed in paras 6 & 7 should be taken.
Idl- E.P.B.
16/10

Secy. Idl- P.M.L.
16/10

Slip A

6. In view of this Shri Joshi's leave period which was treated as extraordinary leave without pay for 31 days from 1-3-49 to 31-3-49 may be treated as earned leave out of the balance of 77-7/11 days earned leave and he may be paid leave salary for that period.

No. DAII.B./Presy/29-(a)/274.

Office of the Accountant General,
Bombay, dated 12/50

To

The Secretary to the
Govt. of Bombay,
Legal Deptt.

Sub: Pay bill for Rs. 8256/15/- T. No. 5094, dated 27-11-5

The above bill has been passed for payment for Rs. 8252/15/- only, An amount of Rs. 4/- has been retrenched from the bill for the following reasons.

Mr. Shetue is not entitled to special pay of Rs. 15/- sanctioned for Typist during leave separately, but it should have been included in calculation of average pay. Hence the amount claimed on that account separately has been retrenched. Please note.

Sd /-
Asstt. Accountant General.

EVY. 11/5.

Legal Department.

Submitted.

I was appointed on 4th October 1944 in the Rationing Department as a clerk and was relieved from the Card Index Section on 31st March 1947 after office hours to enable me to join this Department, as I was selected by the Public Service Commission. The revision of Pay Rules came into force from 1st January 1947. From 1st January 1947 to 1st April 1947, I was paid at the old rate and hence some arrears of Pay in the Card Index Branch is due to me. In the circumstances, I request that these particulars may be verified from the Service Sheet and the necessary arrears may kindly be drawn. I have not claimed any arrears from the Card Index Section of Rationing Department.

sd/-N. K. Joshi.
10/10/50.

Submitted.

Shri N.K. Joshi joined this Department on 1-4-1947. He was in the Rationing Department from 4-10-44 to 31-3-47. Thus his services were continuous and as such as per rule 8 of the B.C.S. (R. of P.) Rules, 1947 his pay was fixed by this Department after taking into consideration his previous services in the Rationing Department which came to be fixed at Rs. 75/- the initial stage of the Lower Division Clerks scale of Rs. 75-5-140-8-220.

In accordance with the provisions in G.R.F.D. No. 6567/33 dated the 2-8-48 fixation was effective in the Department on whose establishment on 1-4-47. Shri Joshi was borne i.e. the Legal Department. But as regards the difference of his emoluments on fixation for the period he was in Rationing Department, namely 1-1-47 to 31-3-47, ~~necessary~~ it is necessary it is to collect from that Department information regarding

the payment of his salary during this period. This may, therefore, be referred U.O. to the Office of the Controller of Rationing for necessary action.

Idl-E.S.Q. 11/10 As at A above

Supdt. Idl-J.D. 13/10

A.A.S. Idl-E.P.B. 13/10 I agree. As at 'A'

U.R. to Office of Controller of Rationing No. 14381 dated 13-10-1950. × with the Service book.

EVY. 11/5.

~~[illegible]~~ No. C.R.IX

In view of 'A' of on page 8 ante of the note of Legal Department. The accompanying, PPs with the service book (S/S also) of Shri N.K. Joshim may be referred to R.C. A/C~~S~~ for necessary action.

Sd/-
21/10/50.

V. Urgent.

Sd/ -
24/10/50

EVI. 11/5.

Account Branch. 27-10-B 1950.

Shri N.K. Joshi, formerly working in the Card Index section has applied for arrears of pay, from 1-1-1947 to 31-3-1947, due to revision of pay scales, at present he is working in the Legal Department of the Secretariat and that department ~~of~~ has called for the information regarding the payment of his salary from 1-1-1947 to 31-3-1947. It is seen from his service sheet that Mr. Joshi proceeded on earned leave from 3-2-47 to 10-2-47, followed by L.A.P. up to 27-3-1947,. However Mr. Joshi has recd. his salary for the month of February as follows:-

1st to 4th on duty, 9 days ~~E~~ from 5th to 13th and from 14th to 28th. R.O. Card Index there may be requested to verify from his Muster roll and leave order from what date Mr. Joshi proceeded on leave and also to make necessary corrections in his Service Sheet This may be treated as very urgent.

R.O. Accts. 27/10/50.

EVV. 11/2. R.O. Card-Index.

CR VI Card Index.

With reference to RO A/cs note overleaf, it is stated, after verifying the muster roll and the leave order that Shri N.K. Joshi proceeded on leave w.e.f. 5-2-47 and not from 3-2-47, as shown on the Service Sheet.

Necessary correction has been made on the service sheet, the papers may be returned to Ro A/cs for necessary action.

Sd/-
11/11/50

Sd/-
11/11/50
for RoIs.

Office of the co1R

The particulars of pay, d.a. etc., drawn by Shri Joshi from this Deptt. are furnished in the enclosed statement.

Sd/-

U.R. No. CR XII/5329 dated 16-11-50 to the Degal Deptt.

EVY. 11/5.

Shri V.K. Joshi, Clerk in the scale of Rs. 50-5/2-80 Revised scale Rs. 75-5-140

Month	Con. Allce.	D.A.	Pay	Leave Salary	Total	Net Amount Drawn	Remarks.	Bill No.	Item No.	Amount	Cashier on
January 1947		26	65 - --		91 - -	91 - -		785	Clerk 128	91 - -	1-2-47
February 1947		12 1	9 5	19	40 9	40 6	1 to 4 duty at Rs. 55+ 10 5 to 13 E.L. at Rs. 50-3-0 14 to 28 L.U.P.	961	Clerk 240	30961	3-3-47
March 1947		- 13	6 1	-	2 14	2 14	Duty pay for 31st March 1947 at Rs. 55 + 10	6	Clerk 252	30042	3-4-47
		2 8	6 5	-	8 13	8 13	Duty pay from to 30th March 1947	2381	Clerk 1	8 13	7-10-47

1) Certified that the arrears due to Revision of pay scales have not been drawn by this Department.

2) The arrears claim has been noted against the Original bills.

VY. 14/5.

sd/- D.R. Inamdar.

Rationing Officer's Accounts.

LD. No. 20838
10/21

Submitted.

The Office of the Controller of Rationing to whom these papers were referred has furnished the necessary information required to draw the arrears of pay in respect of Shri N.K. Joshi under G.R.F.D. No. 6567/33, dated 2-8-1948 for the period from 1st January 47 to 31-3-1947.

Necessary bill has been prepared for the above period and is put up herewith for approval and signature. Shri Joshi's arrears of pay for the period h in this Department from 1-4-47 to 31-1-1948 has already been drawn and paid to ~~him~~ him.

Idl- E.S.Q.

Suppdt. 18/11 Idl- J.D. 18/11 A.A.S. Idl- E-P.B. 18/11

EVY. 14/5.

Legal Department.

Submitted.

2. I was on leave from 3-2-49 to 22-4-49. I was granted 20 days earned leave and 59 days leave without pay.

3. Now according to G.R.F.D. No. 6567/33 dated 28-4-49 leave rules for temporary Government servants have been liberalised and temporary Government servants are eligible to the earned leave and half average pay leave as that of permanent Government servants.

4. I joined Government service on 4-10-44 and since then I am in continuous service. In the circumstances I request my leave may be calculated according to new rules and the leave without pay may kindly be adjusted into that of earned leave and half average pay leave and the arrears if admissible may be paid to me.

Sd/-

3/11/50.

Supdt. Sd/- K. G. V.

8/11.

Submitted. A.A.S.

2. Shri N.K. Joshi joined L.D. on 1-4-1947 Prior to this date he renderrd services in this office of the Controller of Rationing from 4-10-1944. His service book has been sent to that office for making the necessary entries therein.

3 As, however, Shri Joshi is in continuous service of Government his leave account so far as the service in the Legal Department is concerned from the date of joining (1-4-47) till the date on which he last preceeded on leave (5-6-1950) is worked out as under:-

(a) 1-4-47 to 31-1-49 @ 1/22rd = 30-12/22 days

(b) 1-2-49 to 5-6-50 @ 1/11th = 44-8/11

Total days = 75-3/11 days.

4 Shri Joshi becomes entitled to the leave services at 1/11th of the period spend on that date from 1-2-1949 in accordance with the libralization leave Rules in G.R.F.D. No. 6567/33, dated 28-4-1949.

5. Shri Joshi preveeded on leave of diffe-

rent nature on the following 3 occassions:-

Period	Earned leave	1/2 pay leave.	Extra ordinary leave without pay.
i) 27-10-47 to 4-11-47	9 days.		
ii) 5-11-47 to 21-11-47			17 days.
iii) 3-2-49 to 22-2-49	20 days.		
iv) 23-2-49 to 23-4-49			59 days.
v) 6-3-50 to 2-4-50	28 days.		
vi) 3-4-50 to 17-4-50		15 days.	
vii) 6-6-50 to 20-6-50		15 days.	
	57 days.	30 days.	76 days.

6. The total leave earned by Shri Joshi comes to 75-3/11 days out of which he has already taken 57 days of leave. There is a balance of 18-3/11 days earned leave to his credit on 5-6-1950.

7. So far as leave on half pay is concerned it can be regulated under rule 6 read with rule 15 of the F.D.C.R. (ibid) Shri Joshi has put in his service including the service in the office of the Controller of Rationing for more than 6 years. He can get the benefit of 1/2 pay leave for 20 days for each completed year of service. This when calculated for the period spent on duty i.e. from 4-10-1944 to 3-10-1949 comes to 100 days. He has already taken 30 days leave of this nature as shown at (vi) and (vii) above. There is a balance of 70 days to his credit on the date on which he last proceeded on leave from 6-6-1950.

8. In view of the facts and figures stated above Shri Joshi's request can be granted by adjusting his extraordinary leave without pay for 59 days in the manner indicated below:-

a) 18 days earned leave on full average pay and

b) 41 days half pay leave.

The extraordinary leave of 59 days thus converted

in to that of earned leave for 18 days combined with half pay leave ~~of~~ for 41 days may be granted to him from 23-2-1949 to 12-3-49 and from 13-3-49 to 23-4-1949 respectively and he may be paid leave salary ~~x~~ accordingly.,

Z6/-E.S.Q.
~~xxxx~~ 15/11. As in para 8 above.

Supdt. Z1/-S.D.
15/16/11. A.A.S: Action as prepared in para 8 may be approved.

EVY. 14/5.

Z6/-E.P.B
16/11.

Secy. Z6/-P.M.L.
16/11.

Legal Department.
7-11-50.

Submitted:

2. I was on leave for one month and 27 days from 3-3-1949 to 28-4-1949 out of which 22 days viz. from 7-4-1949 to 28-4-49 was treated as extraordinary leave without pay. Since I am now confirmed with retrospective effect, i.e. from 1-11-47, I am entitled to earned leave at the rate of one month per eleven months duty period from that date. The extraordinary leave thus granted to me will now have to be converted into earned leave admissible to me at the rate mentioned above. I, therefore, request that necessary leave salary may be paid to me.

3. I also request that my date of increment may be revised in view of my confirmation with retorspective effect and necessary arrears of increment paid to me. The date of increment falls on 2nd February every year.

Id/-A.D.P.
7/11/50

(thro. 'C).

Submitted Id/-K.G.V.
7/11

Submitted.

2. Shri A.D. Paradkar who was confirmed as Leave Reserve on 1-11-47 has been provisionally confirmed as clerk with effect from 1-11-47 (pl. see G.M.L.D. No. 7527 dated 3-6-50).

3 Since Shri Paradkar's confirmation order took retrospective effect from 1-11-47, he becomes entitled to earned leave at 1/11 th of the period spent on duty from that date. The balance of leave earned by him on 31-10-47 at 1/22nd was 12-6-22 days. Added, to this the earned leave calculated at 1/11th from 1-11-47 to 2-3-1949 comes to 56-9/11 days. He was granted earned leave for 35 days from 3-3-49 to 6-4-49 followed by leave without pay for 22 days from 7-4-49 to 28-4-49. Thus the total leave comes to 57 days.

4. Since that he has been confirmed with retrospective effect, he is eligible for leave terms at 1/11th from the date he has been confirmed i.e. from

1-11-47. He had therefore to his credit 56-9/11 i.e. 57 days earned leave on 2-3-49. From 3-3-49 he was already granted 35 days earned leave on average pay followed by extraordinary leave without pay for 22 days. The extraordinary leave so granted may be converted into one of earned leave for 22 days on a.p. (35+22 = 57 days). and he may be paid leave salary for 22 days from 7-4-49 to 28-4-49.

5. As regards the date of increment which was ~~postponed~~ deferred, it will now remain unchanged for the reason stated in para 2 above. The original date of increment falls on 2nd February every year. Shri Paradkar may be paid difference of increment for the period from 2nd February to 31st March.

Idl-S.S.S.
14/11

Supdt. ~~NVI. 14/5.~~

As in paras 4 & 5 above
Idl-J.D.
15/16/11

A.A.S. Action as proposed in para 4 may be approved.
Idl-S.P.K.
16/11

Secy. Idl-P.M.L.
18/11

Legal Department.

Submitted.

I was on extraordinary leave (without pay) for 17 days in the year Slip 'H' in file EST.II/49 St.IV P. 363 1949 as there was no earned leave to my credit, Now according to recent revised leave rules issued by the Finance Department, temporary persons who have put in one year's service are entitled to one month leave on average pay for every calendar year. I am, therefore, now entitled to the benefit of the leave rules. I accordingly request that the extra-ordinary leave for 17 days granted to me in the year 1949 may now be converted into that of leave on average pay and I amy be paid the necessary leave salary at an early date.

'C' branch Submitted.

2. Shri Phadkar had taken 58 days leave of h the following description:-

1) Earned leave from 2-2-49 to 14-3-49 = 4 da

2) Extraordinary leave without pay from 15-3-49 to 31-3-49= 1

3. By G.R.F.D. No 6567/33 dated the 28th April 1949 the Revised Leave Rules 1935 have been modified to the extend indicated therein.

4. On exacucing the case of Shri Phadhis the leave to which he ~~xx~~ becomes entitled is half pay leave only which under rule 9 in Section II kept below slip A read with rule.

6 (a) under I of the rules mentioned in the F.D.G.R. referred to above. Accordingly he is entitled to 40 days leave on half pay which works out on the basis of completed year of service. Shri Phadhis period service in L.D. on 16-8-1946.

5. As he has earned 40 days, half pay leave the extraordinary leave granted to him for 17 days

from 15-3-1949 to 31-3-49 may be converted, if approved,
leave on
in to/half pay with effect from 15-3-49 and he may be
paid leave salary accordingly.

Xd/- E·S·Q·
23/11·

supdt. Xd/- J·D·
25/11·

~~BVI. 14/8.~~

A·A·S· As in para 5.

Secy. Xd/- P·M·L·
21/11.

- Legal Department.

Submitted.

Shri G.N. Pai, offg. Junior Asstt., in the Legal Department had put in some service as Junior Asstt. in the Home Deptt., before joining this Department that Department may therefore ~~xx~~ be requested to make the necessary entries in the service book of Shri Pai.

Dy-N.V.N. 10/10
Supdt-I 11-J.D. 10/10
A.H.S. Z.I.C. 11-[illegible] 1950

XX U.R. to H.D. No. 14280 dated 11-10-1950.

The necessary entries regarding the service rendered by Shri G.N. Pai in this Department have been make in his service book which may be returned us to L.D. after Asecy has signed at 3 places marked 'X' in pencil.

2. The Service Sheet and leave account of Shri G.N. Pai for service rendered in CSD. from 16-5-43 to 23-7-48 is attached to the service book.

IdV 30/10/50 A.S. Id/- 30/10

U.R. to Legal Department dated 30-10-50 (with the service book of Shri G.N. Pai)

EVY. 14/5.

Legal Department.
19921/1-11

Submitted.

From the entries made in the Service Book by the H.D. it will be seen that Shri Pai commenced his service in that Department from 24-7-48. Prior to this, he was in service of Inspecterate of the Rationing Department (C.S.D.) from Vide Service Sheet attached to the S.Book 16-5-1943 to 23-7-48. The period in the H.D. i.e. from 24-7-48 to 8-7-~~48~~ 49 will count for purposes of increment being in the same grade of Rs. 120-10-250. His services in the Rationing Department will not count towards increment because they were rendered in a different ~~x~~ cadres of a different time scales.

Considering the officiating period of service in the H.D. Shri Pai becomes entitled to an increment of Rs. 10/- on having completed continuous officiating service as Junior Assistant on 23-7-49 but as he was on earned leave for 17 days followed by extraordinary leave for 13 days from 9-5-1949 to 7-6-1949 i.e. for 30 days, the date of increment is thus postponed by 30 days and the due date is 22-8-1949 raising his pay to Rs. 130/- p.m. from 23-8-1949 His second increment falls due on 23-8-1950 raising his pay to Rs. 140/- from 23-8-1950. The increments are for sanction.

Sd/- E.S.Q. 6/11. A.A.S. Sd/-E.P.B. 7/11. (Thro' B) Sd/- S.W.D. 7/11/51.
Supdt. Sd/-J.D 7/11. Subt. with e.c. and f.c. of supplementy temp. and permanent estt. pay bills for signature.

Secy. Sd/- P.M.L 8/11.

Sd/- N.N. Naik.
11/11/51.

Supdt. Sd/- J.D.
11/11.

~~EVI. 14/5.~~

A.A.S. Sd/- E.P.B.
18/11.

K Pay.
Drawal of - for the period of
absence from duty.

GOVERNMENT OF BOMBAY.
Finance Department.
Circular No. 8255 53.

Bombay Castle, 21st November 1950.

C I R C U L A R.

It has been brought to the notice of Government that Government servants proceeding on leave after the preparation of t the pay bills of their departments or offices which is usually done at the beginning of the last week are allowed to draw duty pay as for the entire month in the absence of any sanction for the period of absence from duty. This is irregular. The correct practice in such cases is that the Government servant concerned should be paid his duty pay and allowances; and his leave salary, should be paid only when leave is sanctioned. If there is no difference between pay and leave salary the Audit Office should specifically be informed of the fact indicating the period of leave, leave salary, etc., so as to enable that office to keep note of the period of leave on the original bill. In cases where there is difference in the matter of amount of leave salary due to the Government servant a supplementary bill will be prepared showing the amount due and at the same time showing the refund of the amount already drawn, the difference will be claimed from the Treasury or the Audit Office as the case may be. If on the other hand, the amount due is less than that already drawn, the refund of the latter to the extent of the amount claimed should be shown and the bill sent to the Treasury or the Audit Office as the case may for audit, etc. In such cases the bill in which the remaining balance of the amount still to be refunded has actually been refunded should be communicated to the Audit Office. Undisbursed pay should not ordinarily be refunded into the Treasury or the Reserve Bank but the same should be adjusted by short drawal in the pay bill for the next month, vide rule 283 (2) of the C.T. Rules, Vol. I.

By order of the Governor of Bombay

V.M. Joshi.

Deputy Secretary to Government.

EVY. 22 5.

K. Government Servants on deputation.
Fixation of pay 87- on reversion

GOVERNMENT OF BOMBAY.
Finance Department.
Circular No. 7673/33.

Bombay Castle, 31st October 1950.

CIRCULAR OF GOVERNMENT.

It has come to the notice of Government that Government servants when deputed to other Departments or offices often draw pay in time scales which are identical with the time scales in their parent Departments. The question, therefore, arises on their reversion to their Parent Department whether the service, rendered in an identimal time scale in the Department to which their service had been lent, should be allowed to count for increments in the parent Department under note 4 below Bombay Civil Service Rule 41. Government is pleased to direct that all such cases should be regulated under Bombay Civil Service Rule 61 and that only that portion of the service in the foreign Department or office should be allowed to count for increments in the parent Department during which the person concerned would have drawn pay in the time scale applicable to the post he holds on reversion, but for his deputation to another Department or office, i.e the case should be so regulated as to restore the position the person concerned would have occupied in his parent Department had he not been deputed.

2. Government is also plesed to direct that in all cases in the past which have not been regulated in accordance with the principle enunciated above, the pays should be refixed in accordance with paragraph 1 above with effect from the 1st December 1950 provided the persons concerned have not acquired a vested right to their present pay by reason of their being confirmed in or appointed substantively to the post in question. No retrospective adjustments or recoveries should however be made.

By order of the Governor of Bombay,

V.M.JOSHI,
Deputy Secretary to Government.

EVY. 22/5.

Re submitted.

It is ascertained in consultation with M/s. Dhotre and Deshmukh that they are not to get any benefit of the present orders.

File in Pay II/50.

Sd/-N.N.Naik
6/1/57

In view of A above no action is necessary.

Supdt. Dft. G.D. 8/1

A.H.S. Dft. Exp. B. 8/1

EVT. 14/6.

Legal Department.

Submitted.

O.C. and F.C. of the supplemnotary pay bill drawing the arrears of leave salary of Shri B.L. Phadnis are put up for signature.

Sdt N.N.Naik
28/11/50

Supdt. Idl - J.D.
28/11

A.A.S. Idl - S.P.B.

EVY. 14/5.

No. DA.II/Presy/29A/377 Bombay 18 December 1950

From

The ACCOUNTANT GENERAL
BOMBAY.

To

The Secretary to the Government of Bombay
Legal Department.
Bombay.

Sub:- Supplementary bill of Rs. 52-8-0 (Token No. 1058 dated 29-11-50)

Sir,

The above bill is kept pending in this office for the following reasons.

Please furnish the average pay calculation memo on which the rate of leave salary included in the bill is based. Please state the kind of leave asked for by Shri B.L. Phadnis in the first instance, which is now being converted into leave on ½ average pay.

In the meantime, the bill may please be taken back on surrendering the token at the counter of this office a and resubmitted along with the reply to the observations made above.

Yours faithfully,

(Sd/-)

ASSTT. ACCOUNTANT GENERAL.

EVY. 14/5.

Legal Department.

Submitted.

The average pay statement may be forwarded to the Accountant General, Bombay and he may be informed that Shri Phansis was first granted earned leave ~~one~~ due to him ~~herein~~ on ap. from 2nd February 1950 to 14th March 1950 followed by extra-ordinary leave without pay from 15th March 1950 to 31st March 1950. This latter kind of leave has been converted on his applying under the provision of rule 6 of the Leave Rules as modified by G.R.F.D. No. 6567/33, dated 28-4-1949. The bill is prepared accordingly which may be sent with the above reply to the A.G. Bombay.

Id/- S.S.Q.
23/12
Submdt. Id/- J.D. A.A.S.
23/12

EVY. 14/5.

No. 18440
Legal Department,
Bombay Castle (Bombay No. 1), 30th Dec-
1950.

Subject:- Supplementary Bill for Rs. 43-11-0.

MEMORANDUM.

The undersigned ~~xxxxx~~ presents compliments to the Accountant General, Bombay and with reference to his letter No. D.A.II/Presy/29-A/377, dated the 18th December 1950 is directed to inform him that Shri B.L. Phaddis was first granted earned leave on average pay due to him from the 2nd February 1950 to the 14th March 1950 followed by extra-ordinary leave without pay from the 15th March 1950 to the 21st March 1950. This latter kind of leave has been converted on his applying under the provision of rule 6 of the Leave Rules as modified by G.R.F.D. No. 6567/33, dated the 28th April 1949 into leave on half average pay and hence the amount due has now been claimed. The Leave Salary Statement is attached to the bill which is sent separately.

By order of the Governor of Bombay.

Sd/- E.P.B.

Assistant Secretary to the Government of
Bombay. Legal Department.

To The Accountant General, Bombay.

~~Submitted for for approval and signature.~~

~~to~~
~~The Accountant General~~
~~Bombay.~~

EVY. 14/5.